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Breaking News

Monday, August 14, 2000
Tax Issues Facing Dot-Coms

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✦ **Practice**

Practice area listings and lawyers by practice areas.

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News, newsletters and media resources.

✦ **Community**

Opening Doors for Children, Holocaust Remembrance Project and Pro Bono Legal Services.

**Welcome to Holland & Knight LLP.**

Holland & Knight has more than 1050 lawyers serving clients globally in virtually every area of the law. We encourage you to evaluate our firm based on the principles that drive us: strong and supportive relationships with our communities and clients and commitments to diversity and continuing education.

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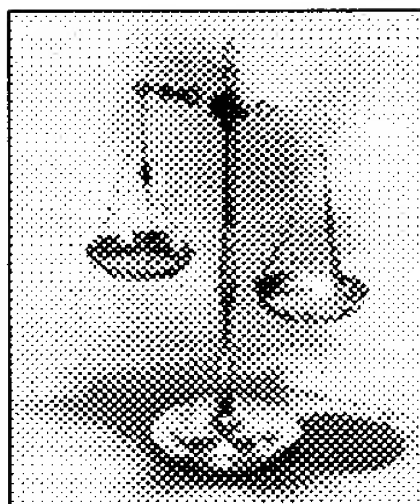
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General areas of practice
(i.e. "business law")

All Practice Areas

Click here for a complete
alphabetical listing of our
practice areas



Practice

The more than 1050 lawyers at Holland & Knight work collaboratively to help create solutions for clients' business matters. We work to anticipate our clients' needs. We offer services in more than 100 areas of the law, which overlap and complement a variety of client industries.

Here, you may navigate through information about our integrated practice by selecting one of the practice groups and reading about the variety of interrelated services available to clients in that industry, or you may simply select the cumulative, alphabetical list of practice areas.

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General Practice Areas

Patents

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Patents

A patent is a grant by the government that gives the creator of an invention the right to exclude others from making, using, selling, or offering for sale the invention for a certain period of time. Patents can be obtained for "any new and useful process, machine, manufacture, or composition of matter or any new and useful improvement thereof."

Such utility patents are granted by the United States Patent and Trademark Office (USPTO) for a term of 20 years from the date of application. In addition, the USPTO will issue patents protecting a new, original, and ornamental design for an article of manufacture as well as patents for new varieties of plants.

Patent applications filed with the PTO require the services of an attorney who is admitted to practice before the PTO. Holland & Knight represents clients in the U.S. and foreign patent offices in connection with all aspects of prosecuting and maintaining patents.

The kinds of technologies for which we have secured patents, include: biotechnology, computer- and software-related technologies, electronics, foods and flavors, electrical inventions, medical devices, and pharmaceutical inventions.

The Patent Process

Before filing, a search for "prior art" should be made. If the invention is a duplicate of an existing patent or if it was offered for sale, or publicly used or described in a publication more than one year before the application is filed, it will lack the novelty required to be patentable.

However, if the invention is not identically disclosed or described in the prior art, it is possible to obtain a patent if the invention would not have been obvious to a person of ordinary skill in the art at the time it was made.

Our lawyers are actively involved in prosecution, re-issuance, re-examination, interference, and appeal matters before the U.S. PTO in all areas of technology. We are also experienced in prosecuting patent applications under the Patent Cooperation Treaty (PCT) before the World Patent Organization ("WPO"), and the various regional patent offices around the world including the European Patent Office ("EPO"), Japan Patent Office, East, South America, Australia, Scandinavia, and those offices in lesser developed countries.

Patent Infringement

Holland & Knight lawyers handle litigation involving the unauthorized making, use, or sale, or selling of patented inventions. Our lawyers are also involved in infringement actions.

Representative Transactions

Among our patent clients' diverse technologies are:

Automotive

- air intake valves
- fuel injection systems
- manifolds
- window treatment articles

Biotechnology

- antisense sequences
- assays
- cDNAs
- cell lines
- constructs
- DNA and RNA sequences
- ELISA and RIBA
- insects and microbes
- monoclonal and polyclonal antibodies
- PCR
- plants
- Polypeptides
- Probes
- recombinant DNA
- transgenic animals
- vectors
- viruses
- xenografts

Chemistry

- adhesives
- coating systems
- diagnostics
- drug and delivery systems
- dyes, such as laser and carbonless copy dyes
- environmental sequestrants
- insecticides

Electrical/Electron

- injection molding controls
- dimensional measurement
- high voltage insulation
- HVAC control devices
- precision fluid distribution systems
- self-dimming liquid crystal mirrors
- vehicle vibration control

Foods and Flavors

- extracts
- processing and packaging procedures
- salad dressings
- tomato and coffee
- vanilla

Footwear Product

- lining materials
- insoles and outers

Mechanical

- adhesive and coating dispensing equipment
- powder spray booths
- pumps
- recovery systems
- electrostatic discharge
- machine tools and tool holders
- inserts and cooling systems

- organic and inorganic compounds
- plastic films
- polymers

Computer and Software

- acquisition and license agreements
- addressing mathematical "rejections" in patent prosecution
- automated databases
- Beta test agreements
- copyright registrations
- desk accessories
- graphics in CD-ROM format
- skills training systems
- software development
- source code escrows
- word processors
- works made for hire

Electrical/Electronic

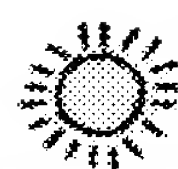
- breath alcohol components
- computerized tire uniformity measuring equipment
- CNC machining systems

Medical Devices

- bone screws
- breathable gas
- cannulas
- catheters
- external fixatio
- joint prostheses
- knee braces
- laboratory devi
- medical implant
- ostomy and col
- pediatric vests
- rectal devices
- syringes
- thermographic systems
- ventilation devi
- anesthesia deli

Pharmaceuticals

- dental
- antibacterial
- antiviral
- antacid
- chemotherapeutic
- anti-inflammatory
- anti-anesthetic
- receptor antagonis
- radio-pharmaceuti

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Opening Doors for Children

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Matthew Adam Clary, III practices in the areas of corporate, securities and business law. He has focused his practice to be a strategic business partner with emerging and established companies. From creative start-up through public company, Mr. Clary leads his clients through the maze of corporate finance -- venture capital, mezzanine and underwritten private and public offerings -- to achieve their business objectives.

Mr. Clary began his legal career as a Captain and Judge Advocate in the U.S. Marine Corps where he honed his litigation skills as both a prosecutor and defense attorney. After his tour of duty, he continued his practice in the area of general litigation and began developing his business law practice while completing his LL.M. in corporation law. Thereafter, he focused his practice in strategic business transactions and related complex commercial litigation. His litigation experience encompasses trade secret and non-competition, stockholder derivative actions, proxy contests and wide-ranging commercial, securities and corporate litigation.

Mr. Clary's strong litigation background provides a foundation from which his legal and business advice, corporate and financial structuring and documentation have thwarted corporate takeovers, avoided divisive stockholder disputes and protected business assets and management from liability claims through proactive strategic planning.

He has been called on by clients to evaluate the relative cost, availability, balance sheet and operational impact of various capital formation strategies. Mr. Clary has successfully negotiated terms to fit the unique business requirements of each client. With individual lenders and with syndicates of participating banks, he has closed on credit facilities from a few hundred thousand to in excess of \$100,000,000. He has served as counsel for the issuer in placing millions of dollars of subordinated debt and senior securities with individual and institutional investors, and for initial and subsequent public offerings of common stock.

Mr. Clary has 20 years experience in the issues surrounding federal and state securities laws, particularly the structure, accessibility, listing and maintenance requirements of the capital markets and exchanges. He provides representation in connection with acquisitions and divestitures, as well as transactional, financial and business structuring for emerging and established companies.

Mr. Clary has chaired seminars for the Washington Inventors Network and for emerging technology companies in Northern Virginia on "Financing High Technology." He has also been a recurring guest speaker on Great Ideas Radio on the topic of "Venture Capital And Beyond."

Within the firm, Mr. Clary is a member of its Technology and Emerging Companies Team and the Public Companies Group. Mr. Clary is a member of the Corporate Counsel and Business Law Section of both the American Bar Association and the Virginia State Bar Association. He is also a member of the District of Columbia Bar Association and the Fairfax Bar Association and is admitted to practice in Virginia and the District of Columbia.

Commitment to community is the underpinning of his service as president of his local Chamber of Commerce, where he is the founder of the Annual Business Trade Expo and, in recognition of his contributions to the local business community, was the recipient of the Herbert C. Hunter Citizen of the Year Award. Mr. Clary served as president of his local Rotary Club and is a Paul Harris Fellow. He is also active in numerous professional and business associations, including the Association for Corporate Growth and the Northern Virginia Technology Council.

Mr. Clary earned his B.A. in 1968 from Johns Hopkins University. He received his J.D., with honors, in 1971 and his LL.M. in Corporation Law in 1982 from George Washington University Law School. From 1971 - 1974 Mr. Clary served as a Captain and Judge Advocate in the U.S. Marine Corps (Res.).